

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DARNELL STEWART,

Petitioner,

v.

ATTORNEY GENERAL OF THE STATE
OF NEW JERSEY,

Respondent.

1:18-cv-17197 (NLH)

MEMORANDUM OPINION & ORDER

APPEARANCES:

Darnell Stewart
567134/136118C
New Jersey State Prison
PO Box 861
Trenton, NJ 08625

Petitioner pro se

Jill S. Mayer, Acting Camden County Prosecutor
Kevin Jay Hein, Assistant Prosecutor
Camden County Prosecutor's Office
200 Federal Street
Camden, NJ 08103

Attorneys for Respondent

HILLMAN, District Judge

WHEREAS, Petitioner Darnell Stewart filed a petition for writ of habeas corpus under 28 U.S.C. § 2254 on December 12, 2018, see ECF No. 1; and

WHEREAS, Respondent moved to dismiss the petition as

untimely under the Anti-Terrorism and Effective Death Penalty Act of 1996, see ECF No. 7; and

WHEREAS, the Court denied the motion on April 14, 2020 and ordered Respondent to file a full answer to the petition, see ECF No. 13; and

WHEREAS, Petitioner filed a letter on May 8, 2020 asking for a 90-day extension due to an inability to access the law library because of a lockdown imposed in light of the covid-19 pandemic, ECF No. 14; and

WHEREAS, there is currently nothing due from the Petitioner. Pursuant to the Court's April 14 order, Respondent was to file its answer by May 29, 2020. However, Chief Judge Wolfson issued Standing Order 2020-09 on April 17, 2020 directing that "all filing and discovery deadlines in civil matters that currently fall between May 1, 2020 and May 31, 2020 are extended by 30 days" Standing Order 2020-09, available at <https://www.njd.uscourts.gov/sites/njd/files/2020-09.pdf> (last visited May 11, 2020); and

WHEREAS, pursuant to Standing Order 2020-09, Respondent's deadline to answer is extended to June 29, 2020. Petitioner would then be able to submit a traverse by July 29, 2020; and

WHEREAS, Petitioner does not indicate in his letter why he requires an extension. If he needs an extension in order to file his traverse after he receives Respondent's answer, he may

request one at that time,

THEREFORE, IT IS on this 12th day of May, 2020

ORDERED that Petitioner's request for an extension of time, ECF No. 14, is denied without prejudice; and it is further

ORDERED that Respondent's deadline to answer is extended to June 29, 2020; and it is finally

ORDERED that the Clerk shall send a copy of this order to Petitioner by regular mail.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.